

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY SAHL FERRIS,

Defendant.

Case No. 3:20-cr-96

**UNITED STATES' MOTION IN
LIMINE FOR REASONABLE
ACCOMMODATIONS FOR CHILD
WITNESSES**

The United States, by Nicholas W. Chase, Acting United States Attorney for the District of North Dakota, and Dawn M. Deitz, Assistant United States Attorney, respectfully files this motion requesting reasonable accommodations for the child witnesses in this case to include: B.B., E.D., W.D., K.D., J.M., S.L., and Z.P. be permitted to have a comfort object during testimony.

Federal Rule of Evidence 611(a) confers broad discretion on this Court in controlling: “the mode and order of examining witnesses and presenting evidence so as to: (1) make those procedures effective for determining the truth; (2) avoid wasting time; and (3) protect witnesses from harassment or undue embarrassment.”

“As long as the defendant’s constitutional rights are safeguarded in a criminal proceeding, a judge is afforded wide discretion in fashioning procedures and modifying standard trial practices . . . [o]ne such accommodation is allowing the [child] witness to testify while holding a doll, stuffed animal, toy, or other comforting or stress-relieving item.” Fern L. Kletter, J.D., Annotation, *Propriety of Allowing Witness to Hold Stuffed*

Animal, Doll, Toy, or Other Comfort Item During Testimony, 82 A.L.R. 6th 373 § 2 (2013).

In this case, the United States requests that the child witnesses identified above be permitted to hold foam stress relief balls while testifying. Such stress relief balls are small, and so any distraction to the jury will be minimal. In addition, a stress relief ball is a more neutral object and will not prejudice the Defendant.

Based upon the foregoing, the United States respectfully requests this Court GRANT its Motion for Reasonable Accommodations for Child Witnesses.

Dated: May 3, 2021

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